



## DEPARTMENT OF THE TREASURY

### Agency Information Collection Activities; Submission for OMB Review; Comment Request; Multiple Internal Revenue Service (IRS) Information Collection Requests

**AGENCY:** Departmental Offices, U.S. Department of the Treasury.

**ACTION:** Notice of Information Collection, request for comment.

**SUMMARY:** The Department of the Treasury will submit the following information collection requests to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. The public is invited to submit comments on these requests.

**DATES:** Comments should be received on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER] to be assured of consideration.

**ADDRESSES:** Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](https://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting "Currently under 30-day Review - Open for Public Comments" or by using the search function.

#### SUPPLEMENTARY INFORMATION:

##### Internal Revenue Service

1. *Title:* Forest Activities Schedule.

*OMB Number:* 1545-0007.

*Form Number:* Form T.

*Abstract:* Taxpayers use Form T to provide information on timber accounts when a sale or deemed sale under Internal Revenue Code (IRC) sections 631(a), 631(b), or other exchange has occurred during the tax year. The IRS uses this information to determine if the taxpayer reported the correct amount of income and deductions.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Private sector.

*Estimated Number of Responses:* 10.

*Estimated Time per Respondent:* 36 hours, 11 minutes.

*Estimated Total Annual Burden Hours:* 362.

2. *Title:* United States Additional Estate Tax Return.

*OMB Number:* 1545-0016.

*Form Number:* 706-A.

*Abstract:* Form 706-A is used by individuals to compute and pay the additional estate taxes due under Code section 2032A(c). IRS uses the information to determine that the taxes have been properly computed. The form is also used for the basis election of section 1016(c)(1).

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Individuals or households.

*Estimated Number of Respondents:* 180.

*Estimated Time per Respondent:* 1 hour, 19 minutes.

*Estimated Total Annual Burden Hours:* 1,678.

3. *Title:* Consent of Shareholder To Include Specific Amount in Gross Income.

*OMB Number:* 1545-0043.

*Form Number:* 972.

*Abstract:* Form 972 is filed by shareholders of corporations who agree to include a consent dividend in gross income as a taxable dividend. The IRS uses Form 972 as a check to see if an amended return is filed by the shareholder to include the amount in income and to determine if the corporation claimed the correct amount as a deduction on its tax return.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Business or other for-profit organizations.

*Estimated Number of Respondents:* 100.

*Estimated Time per Respondent:* 3 hrs, 51 min.

*Estimated Total Annual Burden Hours:* 385.

4. *Title:* Dividends and Distributions.

*OMB Number:* 1545-0110.

*Form Number:* Form 1099-DIV.

*Abstract:* Form 1099-DIV is used by the IRS to ensure that dividends are properly reported as required by Internal Revenue Code section 6402, that liquidation distributions are correctly reported as required by Internal Revenue Code section 6403, and to determine whether payees are correctly reporting their income.

*Current Actions:* There is an increase in the estimated number of respondents previously approved by OMB.

*Type of Review:* Revision of a currently approved collection.

*Affected Public:* Business or other for-profit groups.

*Estimated Number of Respondents:* 89,588,000.

*Estimated Time per Respondent:* 28 minutes.

*Estimated Total Annual Burden Hours:* 42,106,360.

5. *Title:* U.S. Departing Alien Income Tax Statement.

*OMB Number:* 1545-0138.

*Form Number:* 2063.

*Abstract:* Form 2063 is used by a departing resident alien against whom a termination assessment has not been made, or a departing nonresident alien who has no taxable income from United States sources, to certify that they have satisfied all U.S. income tax obligations. The data is used by the IRS to certify that departing aliens have complied with U.S. income tax laws.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Individuals or households.

*Estimated Number of Responses:* 20,540.

*Estimated Time per Response:* 50 minutes.

*Estimated Total Annual Burden Hours:* 17,049.

6. *Titles:* Form 3520, Annual Return To Report Transactions With Foreign Trusts and Receipt of Certain Foreign Gifts and Form 3520-A, Annual Information Return of Foreign Trust With a U.S. Owner.

*OMB Number:* 1545-0159.

*Form Numbers:* Forms 3520 and 3520-A.

*Abstract:* U.S. persons file Form 3520 to report certain transactions with foreign trusts, ownership of foreign trusts under the rules of Internal Revenue Code sections 671 through 679, and receipt of certain large gifts or bequests from certain foreign persons. Form 3520-A is the annual information return of a foreign trust with at least one U.S. owner. The form provides information about the foreign trust, its U.S. beneficiaries, and any U.S. person who is treated as an owner of any portion of the foreign trust under the grantor trust rules.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Individuals or households.

*Estimated Number of Respondents:* 1,820.

*Estimated Time Per Respondent:* 51 hours, 56 minutes.

*Estimated Total Annual Burden Hours:* 94,537.

7. *Title:* Occupational Tax and Registration Return for Wagering.

*OMB Number:* 1545-0236.

*Form Number:* 11-C.

*Abstract:* Form 11-C is used to register persons accepting wagers, as required by Internal Revenue Code section 4412. The IRS uses this form to register the respondent, collect the annual stamp tax imposed by Code section 4411, and to verify that the tax on wagers is reported on Form 730, Monthly Tax Return for Wagers.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Business or other for-profit organizations and individuals.

*Estimated Number of Respondents:* 11,500.

*Estimated Time per Respondent:* 7 hours, 4 minutes.

*Estimated Total Annual Burden Hours:* 81,190 hours.

8. *Title:* TD 7918, Creditability of Foreign Taxes.

*OMB Number:* 1545-0746.

*Form Number:* TD 7918.

*Abstract:* Internal Revenue Code (IRC) section 901 allows a taxpayer a tax credit for the amount of any income, war profits, or excess profits taxes it has paid or accrued during the taxable year.

Treasury Regulations section 1.901-2A(e) allows a dual capacity taxpayer to apply the safe harbor formula to qualifying levies when determining the credit. Section 1.901-2A(d) requires the taxpayer to provide a statement electing to use the safe harbor formula.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Individuals or households, business or other for-profit organizations, estates, and trusts.

*Estimated Number of Responses:* 120.

*Estimated Time per Respondent:* 20 minutes.

*Estimated Total Annual Burden Hours:* 41.

9. *Title:* Interest Charge on DISC-Related Deferred Tax Liability.

*OMB Number:* 1545-0939.

*Form Number:* 8404.

*Abstract:* Shareholders of Interest Charge Domestic International Sales Corporations (IC-DISCs) use Form 8404 to figure and report an interest charge on their DISC-related deferred tax liability.

The interest charge is required by Internal Revenue Code section 995(f). IRS uses Form 8404 to determine whether the shareholder has correctly figured and paid the interest charge on a timely basis.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Business or other for-profit organizations, and individuals or households.

*Estimated Number of Respondents:* 2,000.

*Estimated Time per Respondent:* 7 hours, 47 minutes.

*Estimated Total Annual Burden Hours:* 15,580 hours.

*10. Title:* Generation-Skipping Transfer Tax Return for Distributions.

*OMB Number:* 1545-1144.

*Form Number:* Form 706-GS (D).

*Abstract:* Form 706-GS(D) is used by persons who receive taxable distributions from a trust to compute and report the generation-skipping transfer tax imposed by Internal Revenue Code section 2601. IRS uses the information to verify that the tax has been properly computed.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Individuals or households.

*Estimated Number of Respondents:* 1,000.

*Estimated Time per Respondent:* 59 minutes.

*Estimated Total Annual Burden Hours:* 980 hours.

*11. Title:* Debt Instruments with OID; Contingent Payments; Anti-Abuse Rule.

*OMB Number:* 1545-1450.

*Form Number:* TD 8674.

*Abstract:* This regulation relates to the tax treatment of debt instruments that provide for one or more contingent payments. The regulation also treats a debt instrument and a related hedge as an integrated transaction. The regulation provides general rules, definitions, and reporting and recordkeeping requirements for contingent payment debt instruments and for integrated debt instruments.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Business or other for-profit organizations, individuals, and state, local, or tribal governments.

*Estimated Number of Respondents:* 180,000.

*Estimated Time per Respondent:* 29 minutes.

*Estimated Total Annual Burden Hours:* 89,000.

*12. Title:* TD 8649, Netting Rule for Certain Conversion Transactions.

*OMB Number:* 1545-1452.

*Form Number:* TD 8649

*Abstract:* Internal Revenue Code (IRC) section 1258 recharacterizes capital gains from conversion transactions as ordinary income to the extent of the time value element. Treasury Regulations section 1.1258-1 provides that certain gains and losses may be netted for purposes of determining the amount of gain recharacterized. To be eligible for netting relief, the taxpayer must identify on its books and records all the positions that are part of the conversion transaction before the close of the day on which the positions become part of the conversion transaction.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Individuals and households, business or other for-profit organizations.

*Estimated Number of Responses:* 50,000.

*Estimated Time per Respondent:* 6 minutes.

*Estimated Total Annual Burden Hours:* 5,000.

*13. Title:* Guidance Regarding Deduction and Capitalization of Expenditures.

*OMB Number:* 1545-1870.

*Form Number:* TD 9107.

*Abstract:* The information required to be retained by taxpayers will constitute enough documentation for purposes of substantiating a deduction. The information will be used by the agency on audit to determine the taxpayer's entitlement to a deduction. The respondents include

taxpayers who engage in certain transactions involving the acquisition of a trade or business or an ownership interest in a legal entity.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Business or other for-profit organizations.

*Estimated Number of Respondents:* 3,000.

*Estimated Time per Respondent:* 1 hour.

*Estimated Total Annual Burden Hours:* 3,000.

14. *Title:* Regulations Governing Practice Before the Internal Revenue Service.

*OMB Number:* 1545-1871.

*Form Number:* T.D. 9165.

*Abstract:* These regulations will ensure that taxpayers are provided adequate information regarding the limits of tax shelter advice that they receive and ensure, that practitioners properly advise taxpayers of relevant information with respect to tax shelter options.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Business or other for-profit organizations, and individuals or households.

*Estimated Number of Respondents:* 100,000.

*Estimated Time per Respondent:* 8 hours.

*Estimated Total Annual Burden Hours:* 13,333 hours.

15. *Title:* Information Return of U.S. Persons With Respect To Foreign Disregarded Entities; and Transactions Between Foreign Disregarded Entity of a Foreign Tax Owner and the Filer.

*OMB Number:* 1545-1910.

*Form Number:* Form 8858 and Sch M (Form 8858).

*Abstract:* Form 8858 and Schedule M (Form 8858) are used by certain U.S. persons that own a foreign disregarded entity (FDE) directly or, in certain circumstances, indirectly or constructively.



*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Business or other for-profit organizations, and individuals or households.

*Form 8858:*

*Estimated Number of Respondents:* 20,000.

*Estimated Time per Respondent:* 35.99 hours.

*Estimated Total Annual Burden Hours:* 719,800.

*Form 8858 (Sch M):*

*Estimated Number of Respondents:* 8,000.

*Estimated Time per Respondent:* 24.75 hours.

*Estimated Total Annual Burden Hours:* 198,000 hours.

16. *Title:* Application to Participate in the Income Verification Express Service (IVES) Program.

*OMB Number:* 1545-2032.

*Form Number:* 13803.

*Abstract:* Form 13803, Application to Participate in the Income Verification Express Service (IVES) Program, is used to submit the required information necessary to complete the e-services enrollment process for IVES users and to identify delegates receiving transcripts on behalf of the principal account user.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Businesses and other for-profit organizations.

*Estimated Number of Respondents:* 200.

*Estimated Time per Respondent:* 30 mins.

*Estimated Total Annual Burden Hours:* 100.

17. *Title:* Employment Tax Adjustments; and Rules Relating to Additional Medicare Tax.

*OMB Number:* 1545-2097.

*Form Numbers:* TD 9405, TD 9645.

*Abstract:* This document contains final regulations relating to employment tax adjustments and employment tax refund claims. These regulations modify the process for making interest-free adjustments for both underpayments and overpayments of Federal Insurance Contributions Act (FICA) and Railroad Retirement Tax Act (RRTA) taxes and federal income tax withholding (ITW) under sections 6205(a) and 6413(a), respectively, of the Internal Revenue Code (Code).

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Businesses and other for-profit organizations.

*Estimated Number of Respondents:* 3,400,000.

*Estimated Time per Respondent:* 4 hrs., 58 mins.

*Estimated Total Annual Burden Hours:* 16,900,000.

*Authority:* 44 U.S.C. 3501 et seq.

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